

# JACKSON TOWNSHIP PLANNING BOARD MEETING

Monday, April 3rd, 2023

The April 3<sup>rd</sup>, 2023 regular meeting of the Jackson Township Planning Board was called to order at 7:00 p.m. by Board Chairman Mr. Herman with a salute to the flag by all present. The chairman Mr. Herman read the Open Public Meetings Act Statement noting that adequate notice has been provided and advertised in the manner prescribed by law.

**Roll Call:** Mr. Bressi-Mayoral Designee Mr. Wall  
Mr. Burnstein Dr. Campbell  
Mr. Flemming Mr. Herman  
Mr. Riker  
Mr. Sullivan

Absent: Demarzo, Heller

Mr. Wall joined the meeting at 7: 12 PM.

Payment of the voucher for the recording secretary Irina Darrar for the April 3<sup>rd</sup>, 2023 meeting.  
Motion Sullivan/Riker All in favor among present.

Roll call Bressi, Burnstein, Flemming, Haring, Riker, Sullivan, Dr. Campbell, Herman.

Motion to approve payment of the voucher for the recording secretary for April 3rd, 2023,  
Sullivan/Riker All in favor among present.

Engineering or Planning matters.

Mr. Peters states that the board has 2 Ordinances for the night. It was sent to the board by the Governing body. First, is Ordinance 13-23 updating the Land Development standards in Chapter 244. This has to do with the Pinelands and stormwater management regulations. Since Jackson Township is a participating member of the Pinelands. Pinelands updated the stormwater management regulations. So there are seeing if the town will adopt as part of Pineland's design standards, in the Jackson Township Land Use Ordinance. Mr. Peters recommended the Board adopt Ordinance 13-23, which is an update to Chapter 244. Since the update complies with the master plan.

Motion to approve Dr. Campbell/Sullivan Yes: Bressi, Burnstein, Flemming, Haring, Riker, Sullivan, Dr. Campbell, Herman.

Mr. Peters stated that the second Ordinance that was referred from the governing body after the introduction or first reading at last week's council meeting is Ordinance 14-23 supplementing

Chapters 244-115 the conditional use standards referring to the churches and houses of worship. Mr. Peters said that there is a need to provide places of worship within a certain distance of homes within Jackson Township. Town setting forth the standards as opposed to someone saying, wait you don't provide a reasonable opportunity for some to provide a house of worship within walking distance of someone's home. Governing body introduced an Ordinance that supplements the existing conditional use section of the Ordinance for the churches and houses of worship. Mr. Peters stated that in this particular case, the need to have reasonable opportunities to plan houses of worship within a certain distance of residents' units in town has been a topic of discussion for some time, he thinks the town has been proactive in setting forth standards. Motion Mr. Peters recommended the planning Board offer the same affirmative response to the governing body. Since it is consistent with the master plan.

Motion Sullivan/Bressi Yes: Bressi, Burnstein, Flemming, Haring, Riker, Sullivan, Dr. Campbell, Herman.

#### RESOLUTION 2023-04

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING CONDITIONAL USE APPROVAL FOR A HOME OCCUPATION FOR BORIS IRON WORKS, LLC, BLOCK 1701, LOT 35

Motion to approve Riker/Burnstein Yes: Bressi, Flemming, Riker, Sullivan, Haring, Dr. Campbell, Herman

#### RESOLUTION 2023-05

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING AMENDED FINAL SUBDIVISION APPROVAL FOR YEREK JACKSON 46, LLC, BLOCK 19501, LOT 29.05

Motion to approve Riker/ Sullivan Yes: Bressi, Flemming, Riker, Sullivan, Haring, Dr. Campbell, Herman

#### Resolution # 2023-06

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL FOR GM GRAWTOWN, LLC, BLOCK 19403, LOT 4

Motion to approve Burnstein /Sullivan Yes: Bressi, Burnstein, Flemming, Riker, Sullivan, Haring, Dr. Campbell, Herman

RESOLUTION 2023-07

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF JACKSON,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING PRELIMINARY AND  
FINAL MAJOR SITE PLAN APPROVAL FOR MAY JACKSON, LLC, BLOCK 2101, LOTS  
16 & 17

Motion to approve Burnstein/ Haring yes:: Bressi, Burnstein, Flemming, Riker, Sullivan, Haring,  
Dr. Campbell, Herman

Three changes to the agenda:

Block 3902, Lot 58 and 58.01 through 58.04 Bellevue Estates LLC scheduled for May 15th,  
2023. This application has been withdrawn.

Block 1102, Lot 24.02 WB Ocean 26 LLC. The application was carried to July 17, 2023. Now it  
will be heard on May 15th, 2023.

Motion Sullivan/Burnstein All in favor among present.

Block 11701, Lot 9.04, 9.09, and 25.01 Liquid Investments. The application was scheduled for  
July 3rd, 2023, the application will be heard on April 17th, 2023.

Motion Bressi/Sullivan All in favor among present.

No legal matters.

Mr. Wall joined the meeting at 7: 12 PM.

Application 21301, Lot 10.01 Jackson Crossings Associates LLC.

Mr. Klee stated the application is for major site plan approval involving 5,200 sq feet of one-  
story retail and non-medical office building to be constructed within the existing Jackson  
Crossing shopping center. No new driveway connection is proposed. Setbacks comply. Mr. Klee  
does have a question regarding the offset of the parking areas to the property line, right away.  
The testimony from the applicant is needed. Mr. Klee needs a testimony about the adequate  
drainage system.

Mr. Peters states that the office received a letter, report dated March 15, 2023. The property is  
located in HC Highway Commercial Zone. This is a permitted use. No bulk variance is needed,  
except for the parking area setbacks from the non-residential use. Mr. Peters needs some  
testimony for parking for the entire site, to reconcile the sufficient parking on the site.

Ms. Donna Jennings on behalf of the applicant. She stated that the applicant is seeking  
preliminary and final major site plan approval to remove the existing bank pad drive-through and

install a new one-story retail office building containing 5,200 sq feet. No variance is requested. It is a permitted use.

Ian Borden was sworn in. The president of professional design services, a licensed professional planner in NJ. Mr. Borden stated that the Aerial photograph shows the change to the site that the applicant is offering. Currently, there is a pad building up close to E. Veterans Highway which used to be Shore Community Bank. The bank is no longer there. The applicant is proposing to eliminate the drive-through and existing parameters and place a new single-story building, supposed to be a retail facility by the permitted use of the highway Commercial zone. There is an existing storm drain system and charging facility in Jackson Crossings. Mr. Borden said that the applicant is not disturbing enough ground nor creating enough impervious areas to be required to perform additional storage management. The site has an existing collection system. Mr. Borden said the applicant is proposing 26 parking spaces. 19 spaces have been removed behind the existing drive-through and there are 7 new spaces to be provided, a total of 26 spaces. EV parking spaces will be provided. Exhibit A3 is a color rendering showing matching Architect to the existing center with the material and colors, including the facade signage. The property does not have a dedicated loading area. Anticipating loading will be box trucks. The new building will be served by public sewer and water. Looking for one design waiver regarding parking spaces directly accessing the main driveway aisle.

Melissa Mermelstein was sworn in. Graduate of the City College of New York, Architect. A project manager at BF Designs Association. The plans were prepared under her supervision. A licensed architect in the state of NJ. Ms. Mermelstein states that exhibit A3 shows the proposed single-story 5,200 sq. feet retail building. The Architect intend is to match the rest of the existing plaza. The same storefront system is employed. The interior of the retail was left purposely open-ended, with no tenants at this time. The maximum number of tenants will be 3 stores, but it is possible that 2 or 3 could be combined.

Mrs. Jennings said it's a permitted use.

Public Comments are open. No one came forward, and public comments were closed.

Motion Riker/Sullivan. All in favor among present.

Motion to approve the application with all the stipulations. Dr. Campbell/Riker yes: Bressi, Bornstein, Fleming, Haring, Riker, Sullivan, Dr. Campbell, Herman.

Application Block 12201, Lots 16 and 18. Bennett's Mills Realty LLC.

Mr. Klee stated that this is an application for preliminary and final site plan approval associated with a 37,000 sq. feet data care facility. The project is compliant with the bulk and setback requirements of the Ordinance. The site is impacted by the conservation overlay zone and there is indicated a wetlands area that exists on the site. Testimony from the applicant is needed

regarding the wetlands permit in the area. The project will be connected to public utilities. Mr. Klee needs a testimony about operation needs and traffic analysis and also a testimony about improvements on Johnson Lane.

Mr. Peters stated that the office received a report dated March 31, 2023. The property is in the LC, limited commercial zone. This is permitted use. Mr. Peters asked the applicant to be specific about the proposed use as it might impact the parking requirements.

Dante Alfieri on behalf of the applicant. The applicant is seeking Board approval for preliminary and final site plan approval for the child care/daycare center.

Graham McFarland was sworn in. Engineer and professional planner. He will be testifying as a planner and engineer. Mr. McFarland stated that exhibit A1 is an aerial of the subject site. It has frontage on both Bennett's Mills Road and Johnson Lane. The portion of the property that is being developed with the application is only the front portion of the property. There is an existing house, known as Lot 17; it is not part of the application. The property has a portion of Wetlands that is why the development of the application is proposed between those portions of the site. A -2 exhibit is a cover sheet of the application. The property is located in the LC zone. A-3 exhibit is a site plan that shows the proposed L-shaped building, 37,000 sq. ft. bldg. It is about 33,000 sq. feet first floor. The second floor is about 4,000 sq. feet. All the classrooms will be located on the first floor. The second floor will contain office and storage facilities. 26 main classrooms are proposed and ten therapy rooms. Mr. McFarland stated that the LC zone allows for several other uses, it also identifies a daycare and a preschool center as permitted conditional use. The Ordinance does not state child care centers at all as a permitted use in the zone, however, if the research is done about the definition of the Ordinance, it talks about daycare centers, nursing schools, and child care centers, and they are all identified under the same umbrella of child care. Mr. McFarland stated that his client would like to serve children from infants to 5 years old age. This is a statutory requirement for the number of teachers to be provided. The faculty should have a certain amount of teachers for infants and newborns. The school will have about 50 staff members. There is an outdoor play area; lawn recreation equipment will be provided, and 45,000 sq. feet of the play area available. The parking lot is located in the front. A total of 73 parking spaces were provided and two EVs were proposed, a total of 75. The applicant meets the Ordinance requirements for parking. The facility has one driveway and circulation around it. Ingress, egress driveway, circulating for buses up to a loading area with a canopy. The fire access lane is on the side of the building. This plan accommodates an emergency fire lane. Lots will be consolidated as a condition of the approval. The owner of the property is responsible for the stormwater management system maintenance.

Dr. Campbell stated that she is concerned about Johnson Lane. She is wondering if Mr. McFarland can stipulate no enter, no exit No standing, No stopping sign on Johnson Lane, and Emergency vehicles only, since the road is narrow and cannot handle the heavy traffic.

Mr. McFarland stated that he will be happy to provide any signage. He stated that the application's intent is not to utilize Johnson Lane since there is a separate driveway to Bennett's Mills. Mr. McFarland said that he does not think infants will be bussed, but a significant portion of the toddlers will be.

Mr. Klee is concerned that the applicant has enough parking.

Mr. McFarland stated that the Ordinance does not give any distinction between nursing, daycare, and preschool.

Mr. Peters stated that with 450 infants the applicant will need more than 70 parking spots. He needs more clarification, so he can provide a safe plan.

Mr. McFarland said the intention is not to have this facility limited to just infants.

Mr. Peters needs reconciliation of the number of infants and toddlers that will attend the school, that way the parking requirement is met. He wants to know how many vehicles will visit the site.

Dr. Campbell asked if there is an after-school program.

Mr. McFarland said that children might come after school and stay until 5 PM. There will be some after-school programs. This is part of the operating statement.

Mr. Fleming expressed concern that the delivery truck will be running at the same time as the kids being dropped off. He thinks it is a serious issue; also he is concerned that there is no food service at the facility.

Mr. Herman proposed to take a 5-minute break so that Mr. McFarland can reach out to the client and get the story straight and get an accurate statement.

Mr. Alfieri stated that he is not able to reach out to the client and some questions need more thorough answers, so he is requesting to carry the application to the next meeting.

Public comments opened.

Resident Michael Selwyn, 45 Johnson Lane, Jackson was sworn in. The resident is concerned about the delivery trucks coming in at the same time as the children are getting dropped off at the facility.

Resident James Rapp, 49 Johnson Lane, Jackson. He expressed concern about the re-zoning in this area. Also, He was concerned about the everyday traffic.

Resident Toby Landynski, 342 Bennett's Mills Road, Jackson was sworn in. She is concerned that the project will bring down the value of her house. Also, her main concern is about Johnson Lane.

Resident Deborah Jean Artz, the owner of Lot 17, was sworn in. She thinks there is no need for the daycare facility to be at this location.

Public comment closed. Motion to close public comment Riker/ Sullivan all in favor among present.

The application was carried out until April 17th, 2023 with the requirement of re-noticing. Motion Sullivan/Riker is all in favor of the present.

The meeting was adjourned. Motion Sullivan/Riker are all in favor of the present.

Respectfully submitted by

Irina Darrar

Planning Board Recording Secretary